

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Husar	Examiner:	Brian R. Gordon
Application Number:	10/790,165	Art Unit:	1797
Confirmation Number:	9992		
Filing Date:	March 1, 2004		
Title:	MICROPROPORTIONING SYSTEM		

REQUEST FOR A SUPPLEMENTAL NOTICE OF ALLOWABILITY

The applicant hereby requests that the U.S. Patent and Trademark Office issue a Supplemental Notice of Allowability in the above-identified application, indicating that the U.S. Patent and Trademark Office has received the certified copy of the priority German document DE19737173.6 in connection with the present application.

## REMARKS

The present application is a continuation application of U.S. application number 09/486,531, filed on May 22, 2000; which is in turn a national phase application of PCT/EP1998/05146, filed August 13, 1998; which claims priority to German application DE19737173.6, filed August 26, 1997.

Acknowledgement was made in the parent application 09/486,531 regarding the reception by the U.S. Patent and Trademark Office of the certified copy of the priority German document DE19737173.6. In particular, the office action dated August 14, 2002, Paper No. 10, in the parent application acknowledged reception of the certified copy of the priority German document DE19737173.6. A copy of the Office Action Summary in the office action dated August 14, 2002 is attached, showing such acknowledgement of reception of the certified copy of the priority document.

It is respectfully requested that a Supplemental Notice of Allowability be issued in the present application, such that the Supplemental Notice of Allowability acknowledges the submission of the certified copy of the priority German document DE19737173.6 in connection with the present application.

Respectfully submitted,

/Anthony James Francis Natoli, Reg. No. 36,223/

Date: December 23, 2008

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<b>Office Action Summary</b>	Application No.		Applicant(s)	
	09/486,531		HUSAR ET AL.	
	Examiner		Art Unit	
	Brian R. Gordon		1743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**P riod f r Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

*8/19/2002*

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 May 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disp sition of Claims**

- 4) ☒ Claim(s) 1-95 is/are pending in the application.
- 4a) Of the above claim(s) 13-24 and 43-83 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 25-42 and 84-95 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_